

***Sex Offender Registration:
A Review of State Laws***

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with
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Revised July 1996

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SEX OFFENDER REGISTRATION: A REVIEW OF STATE LAWS Revised July 1996

EXECUTIVE SUMMARY

Sex offender registration laws require offenders to supply their addresses, and other identifying information, to a state agency or law enforcement with the intent of increasing community protection.

Fifty states now require sex offenders to register; twenty-six states passed their laws from 1994 to 1996. Massachusetts is the last state to pass a sex offender registration law, a final version of the bill has yet to be agreed to. Federal legislation, known as "Megan's Law," has also been passed.

Legal challenges to registration laws have resulted in decisions upholding their constitutionality. Courts have found that registration is not a form of punishment, and therefore not subject to the Eighth Amendment prohibition against cruel and unusual punishment. In California, where registration *has* been examined as a form of punishment, the courts have found it not to be cruel and unusual.

Sex offender registration statutes conform in many respects:

- The registry is usually maintained by a state agency.
- Generally, local law enforcement is responsible for collecting information and forwarding it to the administering state agency.
- Typical information obtained includes an offender's name, address, fingerprints, photo, date of birth, social security number, criminal history, place of employment, and vehicle registration. Eight states also collect blood samples for DNA identification; Michigan includes a DNA profile in the registry if available.
- The timeframe for initial registration varies from "prior to release" or "immediately" to one year; the most common timeframe being 30 days or less.
- In most states, the duration of the registration requirement is over 10 years, with 15 states requiring lifetime registration in all or some instances. Most states requiring lifetime registration allow the offender to petition the courts for relief from this duty.
- Most registries are updated only when an offender notifies law enforcement that they have changed residences. Seven states have annual address verification; for some offenders verification is required every 90 days.
- Sixteen states specify that registry information is available only to law enforcement and related investigative authorities. The remaining states allow broader access, ranging from criminal background checks for agencies hiring individuals to work with children, to full public access and community notification.

INTRODUCTION

In recent years, state legislatures across the country have examined their sexual assault laws to find ways to increase community protection. Most have attempted to strengthen existing laws by requiring released sex offenders to register with law enforcement or state agencies. With the passage of Massachusetts' sex offender legislation¹ all fifty states now have such a requirement.

As part of the federal crime bill approved by Congress in August 1994, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act encourages states to create registries of offenders convicted of crimes against children or sexually violent offenses. States which do not create registries within the next three years will face a ten percent reduction in their federal crime control grant. With the federal passage of "Megan's Law,"² states are also encouraged to include community notification in their statutes or face the same consequences.

Do registration laws increase community protection? This paper describes the debates surrounding this issue, and summarizes key elements of state laws.³

POLICY AND DEBATE

A sex offender registration law requires that offenders supply their address and other identifying information to local law enforcement or a state agency. Typically, the offender must register following release from confinement and/or during community supervision. Laws in most states apply to *convicted* sex offenders; some states' laws also apply to individuals found by a judge to have *committed* a sex offense (for instance, under a finding of not guilty by reason of insanity). Minnesota extends the requirement to individuals *charged* with a sex offense, whether or not convicted.

Information maintained on the registry varies by state, but at a minimum includes the name, address, and a law enforcement identification number. Some states collect very detailed information, which may include blood samples for DNA identification, employment information, residence history, and vehicle registration numbers. In all cases, the offender is responsible for supplying accurate information, and is penalized for noncompliance.

Sex offender registration is a controversial subject, with one side arguing that it contributes to public safety, and the other side arguing that it impinges on individual rights and is a step toward a “Big Brother” society. These arguments are summarized below.

ARGUMENTS FOR REGISTRATION

The typical legislative goals are summarized well in the sex offender registration bill passed by the 1994 Alaska Legislature:

The legislature finds that: (1) sex offenders pose a high risk of reoffending after release from custody, (2) protecting the public from sex offenders is a primary governmental interest, (3) the privacy interests of persons convicted of sex offenses are less important than the government's interest in public safety, and (4) release of certain information about sex offenders to public agencies and the general public will assist in protecting the public safety.

Supporters of sex offender registration argue that it contributes to public safety by:

Creating a registry to assist law enforcement in investigation:

Once created, the registry becomes a tool that law enforcement uses to solve crimes or, ideally, to prevent them. If a sex offense is committed and no suspect is located, the registry can be used to identify potential suspects who live in the area, or who have a pattern of similar crimes. States vary in their decisions on which offenders to include in the registry: some register sex offenders with child victims (Arkansas, Georgia, Illinois, Indiana, Iowa, Maine, Maryland, and Wyoming); some register only the most serious categories of offenders (Florida, Hawaii, Illinois, Kansas, Kentucky, Pennsylvania, Virginia, and Wyoming) or repeat offenders (Arkansas, Florida and Ohio); and some register all sex offenders, regardless of the seriousness of the crime or the age of the victim. California and Montana register arsonists in addition to sex offenders. California also registers narcotics offenders. In addition to its 1993 sex offender registration law, Florida has maintained a registry of all felony offenders since 1957.

Establishing legal grounds to hold known offenders:

Registration laws also create legal grounds to hold sex offenders who do not comply with registration and are later found in suspicious circumstances. For example, if a convicted sex offender is observed loitering around a playground, and when stopped by the police is found not to have registered, the offender can be charged and prosecuted for failure to register. Law enforcement representatives often argue that registration laws, thus, prevent crimes because the police can intervene before a potential victim is harmed. Therefore, some states pass a registration law without expecting a high rate of voluntary compliance, but still anticipate a law enforcement benefit.

Deterring sex offenders from committing new offenses:

Another intended effect of registration is psychological. Once registered, offenders know they are being monitored. Many lawmakers argue that such knowledge discourages sex offenders from reoffending. Also, some lawmakers believe that a registration requirement will deter potential first-time sex offenders.

Offering citizens information:

Access to the registry, or the active release of information by law enforcement or school districts, is intended as a means of citizen protection, particularly for parents to protect their children. Sixteen of the states with registration limit access to this information to law enforcement and related investigative authorities. The remaining states allow various levels of public access, ranging from background checks for potential employees/volunteers who work with children, to full public access.

ARGUMENTS AGAINST REGISTRATION

Several arguments against sex offender registration often surface during legislative deliberations. These arguments can be summarized as follows:

Civil Liberties:

Registration programs are inconsistent with the goals of a society committed to protecting individual liberties. Registration is a step toward a “Big Brother” society, or a violation of offenders’ rights. Released sex offenders have paid their debt to society and must not be subjected to further punishment.

Offender Motivation:

By forcing sex offenders to register, society sends a message to these individuals that they are not to be trusted, that they are bad and dangerous people. Such a message can work against efforts to rehabilitate offenders, and inadvertently encourage antisocial behaviors. The offender can use the law to rationalize further crimes: “If society thinks I’m a permanent threat, I guess I am and there’s nothing I can do to stop myself.”

Registration laws encourage sex offenders to evade the attention of law enforcement. Some sex offenders, choosing not to comply with the law, will conceal their whereabouts, making the investigation of sexual assaults more difficult.

Public Safety:

Registration creates a false sense of security. Citizens may rely too heavily on the registry, not realizing that the majority of sex offenders never appear on registration lists. The reasons are many: only a small proportion of sex crimes are reported, and an even smaller number result in convictions; many offenders plea-bargain to nonsexual offenses; sex offender registration laws can apply to limited categories of offenders; and, many offenders were convicted prior to passage of the law. In addition, not all offenders register. For these reasons, only a small percentage of sex offenders actually appear on any list.

Registration of sex offenders implies that these offenders are the most dangerous, whereas other types of offenders present similar or greater risks. How helpful is it for someone to know that a convicted sex offender lives next door, as compared to knowing that a neighbor is a convicted murderer, drug dealer, or armed robber?

Registration will encourage citizen vigilantism. In states where the registration list is public, citizens may threaten and take action against offenders. The harassment may also be extended to family members of offenders.⁴

Victim Consequences:

If made public, a list of registered sex offenders may inadvertently disclose the identity of incest victims. In cases of intra-familial sex offenses, a list of offenders identifies some victims by family, if not by name. Such a violation of privacy may compound a victim's trauma.

Efficiency:

Rather than expend public funds on registration, the state should direct its resources toward other criminal justice activities. A list of all convicted sex offenders, including names, addresses and other information, is expensive to create and maintain. Funds could be better spent on such areas as treatment of incarcerated sex offenders, or intensive supervision of a small group of the most serious sex offenders.

LEGAL CHALLENGES

Sex offender registration laws have been subject to legal challenges in at least twelve states.⁵ Registration laws are most commonly challenged under the headings of cruel and unusual punishment, due process, and retroactive application, or violation of *ex post facto* laws. The

Retroactive application of registration laws have been challenged through arguments that registration constitutes additional punishment. These laws have been upheld by courts stating that the laws are regulatory rather than punitive, and that the primary concern of these statutes is in protecting the public. In many of these cases the offender's record is public information to begin with, so there is no additional stigmatization attached to registration. The issue of criminal records as public information also supports registration laws from attacks of cruel and unusual punishment, therefore not subject to the Eighth Amendment prohibition. Due process challenges have been rejected by courts under the notion that courts have no constitutional requirement to advise defendants of the obligation to register at the time of a plea.⁶

BACKGROUND OF REGISTRATION LAWS

CHRONOLOGY

There are three distinct periods in the passage of sex offender registration laws: an early period from 1944-67, a period of light activity from 1985-90, and a period of intense activity from 1991-96. The majority of laws were enacted during the most recent period, with 26 states passing registration laws from 1994-96.

California has the nation's oldest sex offender registration law, enacted in 1944. Arizona passed its first sex offender registration law in 1951, though this law has been repealed and replaced by a 1985 statute. The next four oldest laws were enacted in the decade of 1957-1967, in Florida, Nevada, Ohio, and Alabama. (Florida's 1957 law required registration of all felony offenders; in 1993 the state enacted a new statute specifically for sex offender registration.) A hiatus of 16 years followed; none of the current laws were passed between 1968 and 1984. Of the 50 states with sex offender registration laws, all but four were enacted after 1984. Since 1991, 38 of the 50 states have passed laws, and a total of 15 have been amended.

OVERVIEW OF REGISTRATION LAWS

ADMINISTRATION

Maintenance of a sex offender registry is generally overseen by a state agency, such as the state police or departments of corrections, institutions, or probation and parole. The state attorney general often has a central role as well. Local law enforcement is generally responsible for collecting information and forwarding it to the administering state agency. Exceptions are Delaware, Maine, Utah, Virginia, West Virginia, and Oregon, where the state is responsible for both collecting the information and maintaining the central registry.

INFORMATION COLLECTED

Generally, the state obtains the offender's name, address, fingerprints, photo, date of birth, social security number, and criminal history at the time of registration. In some states, fingerprints and photographs are already on file with the administering department, so other information is simply updated. Place of employment and vehicle registration are also frequently collected. Nine states collect blood samples for DNA analysis: Alabama, Arizona, California, Connecticut, Illinois, Minnesota, Mississippi, Vermont, and Wisconsin; Michigan includes a DNA profile if available.

TIME PERIOD FOR REGISTRATION

Offenders in different states have varying timeframes for *initial registration*, ranging from "immediately" or prior to release,⁷ up to one year following release (Oregon), with a more common range of 7 to 30 days (27 states). The *duration* of the registration requirement ranges from the length of probation/parole to life, and is typically 10 years or longer.

Fifteen states require lifetime registration for some or all offenders.⁸ Most of these states allow the offender to petition the courts for relief from this duty after a specified time period. Seven other states, while not specifying lifetime registration, require some offenders to petition the courts, or the court determines, to end the registration requirement.⁹ A typical example of this petition process is found in Mississippi's legislation:

Any person having a duty to register under Section 1 of this act may petition the circuit court to be relieved of that duty...The court shall consider the nature of the registrable offense committed and the criminal and relevant noncriminal behavior of the petitioner both before and after conviction, and it may consider other factors. The court may relieve the petitioner of the duty to register only if the petitioner shows, with clear and convincing evidence, that future registration of the petitioner will not serve the purposes of this act.

Fourteen states vary the length of the registration requirement according to the seriousness of the offense or the number of convictions.¹⁰ Oklahoma allows an exceptional two-year requirement for offenders who complete a state-approved sex offender treatment program—otherwise, the duration is ten years. In Georgia and Indiana, registration ends with completion of parole or probation. In Minnesota, registration ends at ten years or upon completion of probation or parole, whichever is longer.

Under the federal crime bill's registration act, offenders convicted of a crime against a child, or a sexually violent offense, are required to register for 10 years following release or placement on supervision; sexually violent predators must register until it can be determined that the offender no longer suffers from a mental abnormality or personality disorder which makes the person likely to commit a predatory, sexually violent offense.

UPDATING ADDRESSES AND ADDRESS VERIFICATION

Addresses must be updated for the registry to maintain its usefulness to law enforcement and the public. Generally, offenders are relied upon to notify authorities of new addresses; most states allow the offender 10 days for change-of-address notification.

Nine states require offenders to verify their registration information annually (Alaska, California, Iowa, Maryland, New Hampshire, New York, South Carolina, South Dakota, and Wisconsin); New Jersey and Vermont require verification every 90 days, while New York and Pennsylvania require verification for sexually violent predators every 90 days.

In compliance with the federal crime bill's registration act, states are required to periodically verify a registered offender's address; annually for an offender convicted of an offense against a child or a sexually violent offense, and every 90 days for a sexually violent predator. Each state law enforcement agency sends a non-forwardable verification form to the last-reported address. The offender is required to return this form, by mail, within ten days of receipt.

OUT-OF-STATE CONVICTIONS

Most states' registration laws apply equally to offenders convicted in another state.

Kentucky, Minnesota, Oregon, and Texas require offenders coming into the state to register only if they are currently on probation or parole. In Arkansas, where registration is required after two convictions for sex offenses against a child, an out-of-state conviction will be counted.

The federal crime bill's registration act requires offenders moving to another state to register with law enforcement in the new state within 10 days of establishing residency, *if* the new state has a registration requirement.

NONCOMPLIANCE

The penalty for failure to register ranges from a misdemeanor to a felony. For offenders released under community supervision, noncompliance is frequently punished by revocation of parole or probation. California, Delaware, Rhode Island, South Carolina, and Utah impose a *mandatory* confinement of 90 days for noncompliance. Other states impose confinement ranging from one to five years, and/or a fine of up to \$5,000. Seventeen states increase the severity of the penalty for repeat failures to register.¹¹ California, Mississippi, Oregon, and Washington vary the severity of the penalty according to the severity of the offense for which the offender is registering. Minnesota punishes noncompliance by requiring the offender to register for an additional five years.

ACCESS TO REGISTRIES

States have various provisions regarding access to registry information. Sixteen states specify that registry information is available only to law enforcement and investigative authorities. The remaining 34 states allow some type of access, ranging from criminal background checks to full public access and community notification.

California and New York operate “900” telephone numbers that the public may call to determine if a specific individual is registered. In New York, the public may call to inquire whether a named individual is a registered sex offender. California only allows calls relating to child sexual offenders. In both states the caller must have specific identifying information about the individual in question. In addition, California’s Department of Justice makes a subdirectory of sexual habitual offenders available to local law enforcement, who may regulate public access; this subdirectory does *not* include exact addresses, nor criminal history other than the crime for which the offender is registering.

COMMUNITY NOTIFICATION PROGRAMS

Concurrent with registration laws, some states have passed notification legislation designed to inform communities about convicted offenders.¹² Notification programs can be directed at a number of audiences, including: law enforcement, victims and witnesses connected to specific offenders, school districts, and citizens in a particular neighborhood or community. Some states allow victims and witnesses to enroll in a program which lets them know where the offender is located during confinement, and where and when the release occurs. Other states require the departments of prisons or parole to inform local law enforcement when an offender, believed to be dangerous, is released from prison and intends to reside in a specific community.

As part of the federal crime bill, states may allow law enforcement agencies to release relevant registration information to the public, when necessary for the public's protection. The name of an offender's victim may *not* be released. Louisiana, New Jersey, Oregon, and Washington already have full-scale community notification programs for sex offenders judged to pose a serious public threat.

Louisiana has a three-step notification process, with responsibility placed on the offender: 1) the offender places a two-day notification in the local newspaper, which must include the name, offense committed, and address; 2) the offender provides this same information to the local school superintendent; and 3) the offender sends postcards of notification (with the same information used in steps one and two) to all neighbors within a three-block radius, or one square mile if in a rural area.

In New Jersey, the county prosecutors where the offender was convicted and where the offender plans to reside, together with appropriate law enforcement, assess an offender's risk of reoffense. The county prosecutor where the offender will reside consults with local law enforcement to determine the means of providing community notification for high risk sex offenders. Organizations in the community including schools, churches, and youth organizations are notified of moderate risk offenders.

Oregon's notification procedures can include flyers, news articles, and "stop" signs posted on the offender's residence. These signs, which resemble actual stop signs, read: "Stop, Sex Offender Residence," and include the address and phone number of the Department of Corrections. The supervising probation or parole officer in the county where the offender resides "develop[s] a notification plan based on the offender's crime/behavior and the make-up of the community."¹³

Washington's community notification law authorizes law enforcement to release "relevant and necessary" information about convicted sex offenders to the public. Notification activities have included front-page news articles, flyers and posters, and canvassing of neighborhoods.¹⁴ Some newspapers print the names of sex offenders registered in their counties.

CONFIDENTIALITY

Ten states address the confidentiality of the registry information. Most of these states consider violations of this confidentiality a misdemeanor; Arizona, however, considers this crime a felony. Michigan specifies that violators may be punished by up to 90 days imprisonment and/or a fine of up to \$500. California states that the use of the registry information to commit a felony is punishable by a five-year prison term in addition to any other applicable punishment. Other states make reference to confidentiality under separate statutes which address "private data" or "criminal history."

JUVENILE REGISTRATION

Most states do not require juvenile offenders to register (except when convicted under adult statutes). States that routinely seal or destroy juvenile records are generally unable to impose a registration requirement upon juveniles because of confidentiality laws.

Thirteen states have imposed a registration requirement on juvenile sex offenders.¹⁵ Washington registers juveniles and keeps records indefinitely, requiring both adult and juvenile Class A felony sex offenders to register for life, Class B sex felons for 15 years following release, and Class C sex felons for 10 years. Delaware and Rhode Island destroy juvenile registration records when the offender reaches age 25; Texas, where the registration requirement extends only through the duration of parole in any case, destroys juvenile records at age 21. California, Michigan, New Jersey, and South Carolina can potentially apply lifetime registration requirements to juvenile offenders.

EVALUATING REGISTRATION LAWS

Most state registration laws were enacted recently and have not been evaluated. Only California and Washington State have produced written evaluations. A 1988 study by the California Department of Justice found that adult sex offenders released from prison in 1973 and 1981 had compliance rates of 54 and 72 percent, respectively.¹⁶ In 1991, Washington's compliance rate was 76 percent.¹⁷ As of July 1996, 81 percent of sex offenders required to register have done so. Thus, in both California and Washington, approximately three out of four sex offenders required to register actually did so. This compliance rate is much higher than predicted by critics of registration laws.

Significantly, high rates of voluntary compliance are not essential for a registration laws to have law enforcement benefits. When a complete list of released sex offenders, who *should* have registered, is routinely produced by the state prison system, law enforcement can choose whether to actively pursue those not in compliance, or to reserve noncompliance charges for offenders whose behavior draws the attention of law enforcement. In several Washington State counties, local authorities conduct thorough background checks on all released sex offenders and use the information³regardless of compliance³as an investigative tool.

In addition to measuring compliance, California's 1988 study looked at the *recidivism rates* of released sex offenders, and examined the extent to which registration actually assists in the investigation of sex crimes. A 15-year follow-up study was conducted of sex offenders first arrested in 1973. Nearly half (49 percent) of this group were re-arrested for some type of offense between 1973 and 1988, and 20 percent were re-arrested for a sex offense. Those whose first conviction was rape (by force or threat) had the highest recidivism rate³64 percent for any offense and 25 percent for a sex offense.

Based on the responses of 420 criminal justice agencies, the California study found that a large proportion of criminal justice investigators believed the registration system was effective in locating released or paroled sex offenders and apprehending suspected sex offenders. For this reason, the vast majority of those surveyed believed the registration requirement should be continued. Approximately one-half of the respondents believed that registration deterred offenders from committing new sex crimes.

CONCLUSION

Sex offender registration legislation has been adopted in all 50 states. As part of the federal crime bill approved by Congress in August 1994, the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act encourages states to create registries of offenders convicted of crimes against children or sexually violent offenses. With the federal passage of “Megan’s Law,” states are also encouraged to include community notification in their statutes or face the same consequences. Currently, 32 states have some form of legislation, either authorizing community notification for released sex offenders, or allowing access to sex offender registration information. Many other states have similar legislation pending.

Because registration statutes are now commonplace in the country, the Washington State Institute for Public Policy will no longer be updating this report. Further editions of the Institute’s report “Sex Offender Community Notification: A Review of Laws in 32 States” may be published.

TABLE 1
States with Sex Offender Registration Laws

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
ALABAMA (1967) Revised (1994)	Ron Cunningham Criminal Justice Information Center (205) 242-4900	Adult sex offenders	DNA sample (DNA sample to be kept in separate database)	State Department of Public Safety, local law enforcement
ALASKA (1994)	Corporal Patrick Hames Department of Public Safety, Division of State Troopers (907) 258-8892	Adult sex offenders	Place of employment, sex offense committed, date of convictions, place and court of convictions, aliases, drivers license number; photo and fingerprints	State Department of Public Safety, local law enforcement
ARIZONA (1985)	Janice Draper Department of Public Safety, Central Records (602) 223-2229 Nancy Swetnam Administrator for the Courts (602) 542-9517	Adult sex offenders; juveniles, if adjudicated delinquent	Fingerprints, photo, DNA sample, other identifying information	State Department of Public Safety
ARKANSAS (1987)	Lt. Mary Margaret Kesterson State Police (501) 221-8223	Habitual adult sex offenders (convicted a second or subsequent time after 1987), whose victim is under 18	Fingerprints, photo, social security number, other identifying information	State Police, local law enforcement
CALIFORNIA (1944) Latest revision (1995)	Marty Langley Dept of Justice (916) 227-3288 Debbie Mullinax Dept of Justice (916) 227-3743	Adult and juvenile sex offenders; offenders found to be sexually motivated; court ordered for any offense with sexual connotation	Fingerprints, palm print, photo, drivers license number, vehicle license plate number, vehicle description, criminal history, occupation, employer's address, scars, marks, tattoos, other identifying information which may include blood and saliva samples for DNA analysis	State Department of Justice, local law enforcement
COLORADO (1991)	Gray Buckley Bureau of Investigation (303) 239-4224	Adult and juvenile sex offenders	Fingerprints, photo, other identifying information including place of employment, registered vehicles	State Bureau of Investigation, local law enforcement

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
CONNECTICUT (1994)	Nick Gentile Board of Parole (860) 566-3710	Adult sex offenders	Blood sample for DNA analysis, aliases, social security number, inmate number, conviction, date and place of conviction, probation or sentence termination date, physical description, photo fingerprints	Board of Parole, Office of Adult Probation, Department of Corrections, local law enforcement
DELEWARE (1994)	Lt. David Deputy State Police, Bureau of Identification (302) 739-5871	Adult and juvenile sex offenders (juvenile information may be destroyed at age 25)	Fingerprints, photo, offense	State Department of Justice, State Police
FLORIDA (1993)	Wayne Quinsey Division of Criminal Justice Information Systems (904) 487-1179	Violent sex offenders and repeat sex offenders	Fingerprints, photo, other identifying information including physical description, place of employment, dates of conviction and release	State Department of Law Enforcement, local law enforcement
GEORGIA (1994)	Scheree Lipscomb Board of Pardons and Paroles (404) 651-5897	Adult sex offenders with a child victim	Conviction, date of parole	State Department of Pardons and Paroles, county sheriff
HAWAII (1995)	Ken Takayama (808) 587-0666	Any person convicted of a felony sexual assault	Photo, fingerprints, name and aliases, length of residence, temporary residence if applicable, place of employment, vehicle registration(s)	Local law enforcement
IDAHO (1993)	Lonnie Gray Bureau of Criminal Investigation (208) 884-7135	Adult sex offenders; juveniles charged as an adult	Fingerprints, photo, other identifying information including physical description, description of crime	State Bureau of Criminal Identification, local law enforcement
ILLINOIS (1986) Revised (1996)	Mike Welter State Department of Police Intelligence Bureau (217) 785-0626	Adult and juvenile felony sex offenders whose victim is under 18 (retroactive), child murderers (prospective)	Address only (fingerprints, other information and DNA already on file), offender not allowed to change name within 10 year duration	State Police, local law enforcement
INDIANA (1994)	Catherine O'Connor Indiana Criminal Justice Institute (317) 232-1233	Adult sex offenders with victims under 18	Aliases, DOB, physical description, social security number, drivers license number, conviction and sentence imposed if applicable	State Criminal Justice Institute, local law enforcement

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
IOWA (1995)	Steve Conlon Special Agent in Charge, Iowa Division of Criminal Investigation (515) 281-5138	Adults and Juveniles "convicted" of sex offenses and offenses against minors	Fingerprints, social security number, photograph, current address, telephone number, and additional relevant information not including information identifying the victim	Department of Public Safety, county sheriff
KANSAS revised (1993) (1994)	Kathleen Bledsoe State Bureau of Investigations (913) 296-8200	Adult violent sex offenders; juveniles with a court order	Fingerprints, photo, other identifying information including date of conviction	State Bureau of Investigations; Department of Corrections, local law enforcement
KENTUCKY (1994)	Hansel Hill State Police Data Processing (502) 227-8700	Adult felony sex offenders	Social security number, DOB, physical description, aliases, vehicle registration data, description of crime	Kentucky State Police, local probation/parole officer
LOUISIANA (1992)	Bill Price Department of Public Safety, Division of Probation and Parole (504) 342-6609	Adult sex offenders	Fingerprints, photo, place of employment, place and date of conviction, other identifying info	State Bureau of Criminal Identification and Information, Department of Public Safety and Corrections, local law enforcement
MAINE (1991)	Dorothy Morang State Bureau of Identification (207) 624-7009	Any individual convicted of a gross sexual assault whose victim is under 16 at the time of the crime	Name and address only	State Bureau of Identification
MARYLAND (1995)	Audrey Brown Dept. of Public Safety and Corrections, for Division of Correction (410) 764-4188 Earl L. Gillespie CJIS, DPSCS (410) 764-5665	Adult child sex offenders, convicted after October 1, 1995	Place of employment, description of crime, date convicted, jurisdiction of conviction, aliases, social security number, fingerprints, photograph	Department of Public Safety and Correctional Services, local law enforcement
MASSACHUSETTS Final version of bill has not been agreed to as of 7/19/96. For more information contact: Margot Friedman, Counsel; Senator Antonioni, Senate Chamber, State House, Boston, MA 02133. Phone: (617) 722-1230				

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
MICHIGAN	Det. Sgt. Robert Carr State Police (517) 336-6683	Adult and juvenile sex offenders	Social security number, conviction (including original charge if convicted of lesser offense), physical description, blood type and whether DNA profile available, photo (optional)	State Police, local law enforcement
MINNESOTA (1991) latest revision (1996)	Special Agent Gary Dahl Bureau of Criminal Apprehension (612) 642-0635	Adults and juvenile sex offenders; federal offenders; out of state offenders	Fingerprints, photo, DNA sample (required by another statute), other identifying information	State Department of Public Safety, Department of Corrections
MISSISSIPPI (1994) revised (1995)	Lt. Judy M. Tucker, Criminal Investigation Bureau (601) 987-1592	All sex offenders	Place of employment, conviction, date and place of conviction, description of offense, aliases, social security number, DOB, physical description, photo, fingerprints, blood sample for DNA analysis	State Department of Public Safety, county sheriff
MISSOURI (1994)	James Klahr Senate Research (573) 751-4666	Adult sex offenders	Phone number, place of employment, crime committed, date and place of crime, date and place of conviction, photo, fingerprints	State Highway Patrol, local law enforcement
MONTANA (1989) revised (1991)	Ted Clack Department of Corrections (406) 444-4907	Adult offenders convicted of sex offenses and other crimes against the person; also includes offenders convicted of arson	Fingerprints, photograph, certain ID numbers, type of offense, physical description, DOB, citizenship, phone number, vehicle description	State Department of Corrections, local law enforcement
NEBRASKA (1996)	Gary L. Plank State Patrol, Investigator (402) 471-4545	Any person convicted of specific crimes against minors defined in statute or sexual assault	A complete description, date of birth, social security number, photograph, fingerprints, any aliases used, a list of offenses for which registration is required, court of conviction, name and location of facility in which incarcerated, and place of employment	State Department of Correctional Services, local law enforcement
NEVADA (1961) latest revision (1996)	Nancy Tiffany Department of Probation and Parole (702) 687-5040	Adult sex offenders	Fingerprints, photo, address, and other identifying info	State Department of Probation and Parole, local law enforcement
NEW HAMPSHIRE (1993)	Wendi Howard State Police (603) 271-2663	Adult sex offenders	Physical description, employer's address	State Department of Safety, local law enforcement

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
NEW JERSEY (1994)	Ann Stefane Office of Legislative Services Law and Public Safety (609) 984-0231	Adult and juvenile sex offenders	Social security number, age, DOB, race, sex, physical description, address of current temporary residence, date and place of employment, date and place of each conviction, indictment number, adjudication or acquittal by reason of insanity, description of crime, fingerprints, signed statement of having been advised of registration requirement	Superintendent of State Police, Department of Corrections, Administrative Office of the Courts, Department of Human Services, Division of Motor Vehicles of the Department of Law and Public Safety, Attorney General, local law enforcement
NEW MEXICO (1995)	Tony Ortiz Legislative Council Service (505) 986-4609	Adult sex offenders	Aliases, DOB, social security number, place of employment, conviction, date and place of conviction, photo, fingerprints, and any distinguishing features, e.g., tattoos or scars	Department of Pubic Safety, county sheriff
NEW YORK (1995)	Kelly K. Haskin-Tenenini Division of Criminal Justice Services (518) 457-3167	Most adult sex offenders and convicted juvenile sex offenders	Aliases, DOB, sex, race, height, weight, eye color, drivers license number, photograph, fingerprints, description of offense, date of conviction, sentence imposed, other pertinent information	Division of Criminal Justice Services
NORTH CAROLINA (1995)	Jane Gray (legal questions) Department of Justice (919) 733-3377 David Davila (statistics) Division of Criminal Stats. (919) 733-3171	Adult and juvenile sex offenders	Aliases, DOB, sex, race, height, weight, eye color, hair color, drivers license number, type of offense, date of conviction, sentence imposed, current photo, fingerprints	Division of Criminal Statistics (maintains data base), county sheriff (obtains registrations)
NORTH DAKOTA (1991) latest revision (1995)	Bob Helten Bureau of Criminal Investigations (701) 328-5500	Adult sex offenders; adult non-sex offenders against children	Fingerprints, photo, place of employment, date and place of conviction, description of offense, other identifying information	State Bureau of Criminal Investigation, local law enforcement, State Department of Corrections & Rehabilitation
OHIO (1963) latest revision (1996)	Ted Almay Superintendent, Bureau of Criminal Investigations (614) 466-8204	Adult sex offenders convicted 2 or more times	Fingerprints, photo	State Bureau of Criminal Investigations, local law enforcement and courts
OKLAHOMA (1989) latest revision (1995)	Jim Rabon Department of Corrections (405) 425-2615	Adult sex offenders	Fingerprints, photo, physical description, DOB, criminal history, place of employment, vehicle registration	State Department of Corrections, local law enforcement

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
OREGON (1989) revised (1991)	James Ragon State Police (503) 378-3720 x4418	All sex offenders, adult and juvenile	Physical description, description of offense (other information on file)	State Police
PENNSYLVANIA (1995)	Major David Miller Legislative Liaison State Police (717) 783-1771	Adult and juvenile sexually violent predators and certain other offenders	Aliases, identifying factors, offense history, documentation of treatment received for mental abnormality or personality disorder	Pennsylvania State Police
RHODE ISLAND (1992)	Chris Shaban Attorney General's Office (401) 274-4400	Adult and juvenile sexual assault offenders, including attempted offenses	Fingerprints, photo, signed statement	State Attorney General, local law enforcement
SOUTH CAROLINA (1994)	Capt. Nita Danenburg South Carolina Law Enforcement Division (803) 896-7051	Adults and juveniles convicted of certain sex and other offenses	Name, photo, statement of crime	SC Law Enforcement Division, Dept. of Corrections; Dept. of Probation and Parole; Dept. of Juvenile Justice; 46 county sheriffs; the Dept. of Motor Vehicles
SOUTH DAKOTA (1994)	Jacque Storm Legislative Research Council (605) 773-3251 Judy Schneider Attorney General's Office, Division of Criminal Investigations (605) 773-3331	Adult sex offenders	Aliases, complete description, photo, fingerprints, length of time at residence, length of time expected to remain at that residence	Division of Criminal Investigation, local law enforcement
TENNESSEE (1994)	David Jennings Legal Counsel Bureau of Investigation (615) 741-0430	Adult sex offenders	Aliases, date and place of birth, social security number, drivers license number, conviction, place and length of employment, address and length of residence; if on supervised release name, address, and phone number of person responsible for supervision	Tennessee Bureau of Investigation, local law enforcement

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
TEXAS (1991) latest revision (1995)	Paul Jordan Criminal Intelligence Service, Department of Public Safety (512) 424-2200	Adult and juvenile sex offenders (including indecent exposure 4th conviction between 9/1/91 and 8/31/95 and second conviction after 9/1/95)	Fingerprints, photo, place of employment, other identifying information including vehicle registration, victim age/gender, occupation	Texas Department of Public Safety, local law enforcement
UTAH (1987) latest revision (1994)	Machelle Rodriguiz Dept of Corrections (801) 265-5626	Adult sex offenders	Vehicle description & registration information, photos, criminal history, DOB, physical description, offense description, police reports, pre-sentence investigation reports, other identifying information	State Department of Corrections
VERMONT (1996)	Max Schlueter Vermont Criminal Information Center, Department of Public Safety (802) 244-8727	A person convicted of sexual misconduct, prohibited acts involving minors and other offenses defined in statute	Date of birth, general physical description, social security number, fingerprints, current photograph, current employment, any conditions of release or probation, probation or parole officer in charge of monitoring offender, and the name and address of any counselors or therapists who will provide treatment to the offender	State Department of Public Safety, Department of Corrections
VIRGINIA (1994)	Captain R. Lewis Vass Dept of State Police (804) 674-2147	Adult felony sex offenders, juvenile felony sex offenders convicted in circuit courts	Source of registration data, type of registration (initial or update), sex, race, DOB, social security number, description of convictions requiring registration	State Police
WASHINGTON (1990) latest revision (1995)	Susie Coon State Patrol (360) 705-5101	Adult and juvenile sex offenders; offenders found not guilty by reason of insanity	Fingerprints, photo, crime, date of conviction, social security number, DOB, place of employment, place of conviction	State Patrol, State Department of Corrections, local law enforcement
WEST VIRGINIA (1994)	Sgt. Thomas Barrick State Police (304) 746-2177	Adult sex offenders	Social security number, DOB, previous address, jurisdiction of conviction, date of conviction, date of release, right thumb print, name and phone number of parole/probation officer	State Police
WISCONSIN (1993)	Anthony Streveler, Department of Corrections (608) 266-5413 Special Agent Ron Feurer Department of Justice (414) 227-2100	Adult and juvenile sex offenders	Place of school enrollment, place of employment, employment duties, DNA sample	State Department of Justice

STATE (Year Enacted)	CONTACT PERSON	OFFENDERS REQUIRED TO REGISTER	INFORMATION COLLECTED (In addition to name and address)	ADMINISTRATING AGENCY
WYOMING (1994)	Dave Gruver Legislative Services Office (307) 777-7881	Adult felony sex offender whose victim was under 18 and who was at least 4 years older than victim	Date and place of birth, social security number, place of employment, conviction, photo, fingerprints	Division of Criminal Investigation, county sheriff

TABLE 2
States with Sex Offender Registration Laws

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Alabama	Within 30 days of release; 30 days of changing address	Yes	Life	No	Felony- 1 to 5 years imprisonment and up to \$1,000 fine
Alaska	Within 7 days of release; 14 days of entering state (7 days if on parole/probation); 10 days of changing address	Yes	15 years for first offense; life if convicted of 2 or more offenses	Annually- offender must provide written notice of changes in registration information, or statement of no changes, to Department of Public Safety	Class A misdemeanor
Arizona	Within 10 days of conviction; 10 days of entering state; 10 days of changing address	Yes	10-15 years, depending on conviction. Juveniles until age 25. (Remain on registry until age 80)	No	Class 6 (lowest) felony or Class 1 (highest) misdemeanor
Arkansas	Within 30 days of entering any county; 10 days of changing address	Yes	10 years after conviction or release from prison	No	Class A misdemeanor- up to 1 year in jail and up to \$1,000 fine
California	Within 14 days of entering any county or city; 10 days of changing address	Yes, both adults and juveniles, including federal and foreign convictions	Life for both adults and juveniles; juveniles may petition to have their records sealed	Offenders update registration info annually with local law enforcement within 10 days of birthday; verify address with Department of Justice	If guilty of a misdemeanor, failure to register or update is a misdemeanor- up to 1 year in jail; if guilty of a felony or have prior failure, failure is a felony- 16-36 months in state prison; mandatory 90 days imprisonment; parole/probation revocation

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Colorado	Within 7 days of becoming a temporary or permanent resident; 7 days of changing address	Yes	20 years (Class 1, 2 and 3 felonies); 10 years (Class 4, 5 and 6 felonies); 5 years (misdemeanors); records stay on file unless offender requests removal	No	Class 2 misdemeanor; second failure to comply- Class 6 felony, mandatory jail time
Connecticut	Registered prior to release; 5 days of entering state; 5 days of changing address	Yes	10 years after probation or sentence termination date	No	Class A misdemeanor
Delaware	At time of release from custody or at sentencing if placed on probation; 30 days of entering state, 10 days of changing address	Yes	Not yet specified	Yes	Misdemeanor- mandatory, min. 90 days imprisonment w/balance of at least one year probation, up to 1 year imprisonment; second and subsequent failures- Class G felony; parole/probation revocation
Florida	Within 48 hours of entering a county; 48 hours of changing address	Yes	Life	No	Third degree felony; revocation of parole/probation
Georgia	Within 10 days of release on parole; 10 days of changing address	No	Ends with completion of parole	Yes	Misdemeanor and violation of parole
Hawaii	Within 3 working days after arrival in county where offender plans to reside longer than 1 month; within 3 working days of change of address	Yes	Offender may petition for relief from duty to register after 5 years; if denied, must wait 1 year to petition again.	No	Misdemeanor

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Idaho	Within 5 days of entering any county; 5 days of changing address	Yes	10 years	No	Felony- incarceration up to 5 years, fine up to \$5,000
Illinois	Within 30 days of entering any county; 10 days of changing address	Conviction in another state may constitute a first conviction	10 years	No (State Police has requested that local law enforcement verify addresses)	Class 4 felony
Indiana	Within 7 days of arriving at intended residence; 7 days of changing address	No	Ends with completion of parole/probation	No	Class A misdemeanor; Class D felony if offender has prior unrelated offense
Iowa	Within 10 days of release or establishing residence in the state; within 10 days of changing residence	Yes	10 years; indeterminately if person is a sexually violent predator; 10 years recommences upon subsequent convictions for sex offenders	Annually—the department sends a verification form by mail that must be completed and mailed back within 10 days; sexually violent predators will have their addresses verified every three months	First offense is an aggravated misdemeanor; second and subsequent offenses are class D felonies; however, a person who fails to register and commits another offense is guilty of a class C felony. If person is on parole, probation, or work release, failure results in an automatic revocation.
Kansas	Within 15 days of entering any county; 10 days of changing address	Yes	10 years for first conviction; life for second or subsequent conviction	No	Class A non-person misdemeanor; providing false information can result in charges at a Level 8-non-person felony

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Kentucky	Within 14 days of release; 14 days of being notified by parole/probation officer after moving into state (inferred from legislation); 14 days of changing address	Yes, if on active supervision	10 years	No	Class A misdemeanor
Louisiana	Within 30 days of release; 45 days of entering state; 10 days of changing address	Yes	10 years (may petition the court for relief of duty)	No	1st failure- \$1,000 fine and/or 1 year imprisonment; 2nd failure- up to 3 years imprisonment without parole, probation or suspension
Maine	Within 15 days of release from incarceration or sentencing if not incarcerated; 5 days of changing address	No	15 years of release from incarceration or sentencing if not incarcerated; may petition for waiver of duty to register after 5 years	No	Class E crime (misdemeanor)
Maryland	Within 7 days of release or establishing residence in the state	Yes	10 years.	Yes- offender registers annually with local law enforcement	Misdemeanor subject to imprisonment for up to 3 years, fine of up to \$5,000, or both
Massachusetts	Final version of bill has not been agreed to as of 7/19/96. For more information contact: Margot Friedman, Counsel; Senator Antonioni, Senate Chamber, State House, Boston, MA 02133. Phone: (617) 722-1230				
Michigan	Registered prior to sentencing, updated upon release; within 14 days of residing in state; 10 days of changing address	Yes	25 years; life if convicted of subsequent offense (even if first offense was committed prior to law)	No	Felony- up to 4 years imprisonment and/or \$2000 fine; probation/parole or youthful trainee status revoked

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Minnesota	Immediately upon release; prior to entering state if accepted while on parole/probation; 5 days prior to changing address; out of state offenders no longer under supervision have 30 days after moving into state	Yes, if on parole/probation; acceptance of an offender under interstate agreement is conditional on offender registering, and other requirements; those convicted in last 10 years	10 years or length of parole/probation, whichever is longer	No, but local law enforcement is asked to physically verify offender's reported address	1st failure- gross misdemeanor, and adds 5 years to registration requirement; 2nd failure- felony
Mississippi	Within 30 days of release; 45 days of establishing residence; 45 days of changing address	Yes	Offender may be relieved of duty only by petitioning circuit court	No	If convicted of a felony \$1500 to \$5000 fine and/or 1 to 5 years imprisonment; if convicted of a misdemeanor- \$100 to \$1000 fine or 3 months to 1 year imprisonment
Missouri	Registered prior to release; 14 days of coming into state; 10 days of changing address	Yes	Not specified	No	Class A misdemeanor
Montana	Within 14 days of conviction, release from prison or supervision, coming into a county; 10 days of changing address	Yes	Life; may petition court for relief from requirement after 10 years of clear conduct	No	Possible 5 year prison term and/or up to \$10,000 fine
Nebraska	Within 5 working days of establishing residence or temporary domicile in any county, 5 days of changing address	Yes	10 years after released or discharged from probation or parole, whichever is later (may petition the court for relief of duty), sexually violent offenders must register until the sentencing court determines otherwise	Annually, within 30 days of anniversary, sexually violent offenders must verify every 3 months	Class 4 felony

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Nevada	Within 48 hours of arrival in a county; 10 days of changing address	Yes	Life; offender may apply to district court for order relieving him of duty to register	No	Gross misdemeanor- up to 1 year in county jail
New Hampshire	Within 30 days of release (including while under supervision); 30 days of establishing residence; 10 days of changing address	Yes	Life (felony offenses); 10 years (misdemeanors)	Registration report made annually within 30 days of anniversary of release, or of establishment of residence in state if convicted elsewhere	Misdemeanor
New Jersey	Registered prior to release or within 4 days of judgment if not confined; upon being placed on supervision; 70 days of entering state; 10 days prior to changing address	Yes	May apply to State Superior Court to terminate obligation to register if no offense committed within 15 years following conviction or release	Address verification with law enforcement every 90 days	Crime of the fourth degree
New Mexico	30 days after release, 45 days after coming into the state, 10 days after changing residences	Yes	10 or 20 years, depending upon conviction	No	Misdemeanor- imprisonment for less than 1 year and/or fine up to \$1,000; same penalty for providing false information
New York	Upon discharge and within 10 days of change of address	Yes	Annually for at least 10 years unless petition from court; sexually violent predators must register annually for lifetime; can be relieved of requirement on petition of court	Annually; sexually violent predators- every 90 days	Class A misdemeanor for the first offense; Class D felony for second and subsequent offenses. Non-compliance may be basis for revocation of parole
North Carolina	Within 10 days of release, arrival in a county, change of residency; immediately upon conviction if not incarcerated	Yes, for substantially equivalent offenses	10 years	No	Class 3 misdemeanor for first conviction of a violation; Class I felony for subsequent convictions

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
North Dakota	Within 10 days of release; 10 days of changing address	Yes	10 years	Yes	Class A misdemeanor; automatic parole or probation revocation; Class C felony for 2nd offense
Ohio	Within 30 days of entering any county; 10 days of changing address	Yes	10 years	No	First offense- first degree misdemeanor; subsequent offense- fourth degree felony
Oklahoma	With DOC- within 10 days of release, 30 days of entering state, 10 days of changing address; with local law enforcement- within 7 days of release or entering state, 3 days of change of address	Yes	Offenders who have completed Dept. of Correction's treatment program - 2 years; Other offenders- 10 years	No	Misdemeanor
Oregon	Within 1 year of release from supervision; 30 days of changing address	Yes- if convicted or required to register in another state	Life; may petition for waiver after 10 years (law sunsets in 1997)	No- currently developing a system of verification	Class C felony if felony offense; otherwise a Class A misdemeanor
Pennsylvania	Upon release or parole from correctional institution or upon commencement of a sentence of intermediate punishment or probation; within 10 days of changing address; within 10 days of moving to another state	No	Sexually violent predators—until the court determines the person is no longer a sexually violent predator; certain other offenders—10 years	Sexually violent predators—every 90 days; certain other offenders—10 years	Felony of the third degree
Rhode Island	Within 30 days of entering state; 10 days of change of address; 30 days prior to release	Yes- only those convicted of first degree sexual assault.	Adult offenders—life; juvenile offenders—until age 25 (juvenile registration records destroyed at that time)	No	Misdemeanor—90 days imprisonment, 1 year probation

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
South Carolina	Within 24 hours of release; 10 days of sentencing to probation; 60 days of entering state; 10 days of changing address	Yes	Life	Offenders register annually with county sheriff	First 2 offenses- felony, \$1000 fine & mandatory 90-day sentence; third & subsequent offenses- felony, mandatory 1-5 year sentence, and may be fined \$1000
South Dakota	Within 10 days of entering state; 10 days of changing address	Yes	Not specified	Offenders register annually with local law enforcement agency	First failure- Class 1 misdemeanor; subsequent failures- Class 6 felony
Tennessee	Within 10 days of release; 10 days of entering state; 10 days of changing address	Yes	10 years minimum; may then petition for relief from registration	Tennessee Bureau of Investigation will send a non-forwardable verification/ monitoring form to offender, who must complete and deliver to TBI headquarters within 10 days of receipt	First offense- Class A misdemeanor; subsequent offenses- Class E felony
Texas	Within 7 days of arriving at intended residence or 7 days of changing address (for reportable convictions between 9/1/91-8/31/95); 7 days before intended move (for reportable convictions after 9/1/95)	Yes, if reportable conviction is after 9/1/95 and offender is on supervision; yes, if offender is not on supervision and conviction state has mandatory post discharge registration requirement	Reportable convictions after 9/1/95: all offenders- 10 years after discharge from supervision; life for adult offenders convicted of aggravated sexual assault, indecency with a child, or sexual performance by a child. Reportable convictions 9/1/91-8/31/95: Adults- duration of supervision; juveniles- until age 21.	Yes, for reportable convictions after 9/1/95	First failure to comply- Class A misdemeanor; second failure- third degree felony; revocable offense for reportable convictions after 9/1/95

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
Utah	During pre-sentence investigation, immediately upon probation, parole or confinement; 10 days of changing address	Yes	5 years after termination or expiration of sentence	No	Class A misdemeanor mandatory 90 days confinement and 1 year probation
Vermont	Within 10 days after establishing residence in the state, annually within 10 days after each anniversary of the person's date of release, 3 days of changing address	Yes	10 years after released or discharged from probation or parole, whichever is later, a person designated as a sexually violent predator may petition the court for removal of the designation after 10 years	Yes, the department shall update the record at least every 3 months	For first offense, up to 2 years imprisonment and \$1,000 fine. For second and subsequent offense, by a sexually violent predator, up to 3 years imprisonment and \$5,000 fine
Virginia	Within 30 days of suspension of sentence, 30 days of release, 30 days after establishing residence, 30 days of changing address	Yes	15 years; or may petition circuit court for expungement from registry (if petition is denied, offender must wait 2 years to file new petition)	No	Class 1 misdemeanor-confinement in jail for up to 12 months and a fine up to \$2,500, either or both
Washington	Within 24 hours of release, immediately if not confined; 30 days of becoming new state resident; 10 days of moving	Yes, and to those convicted under laws of foreign country or the military	Life if Class A felony; 15 years if Class B felony; 10 years if Class C felony	No	Class C felony if Class A felony offense; otherwise gross misdemeanor
West Virginia	Immediately upon release; 30 days of moving into state; 10 days of changing address	Yes	10 years (if not imprisoned, registration applies after second conviction)	No	Misdemeanor

STATE	TIMEFRAME FOR REGISTRATION	APPLIES TO OFFENDERS CONVICTED IN ANOTHER STATE?	DURATION OF REQUIREMENT	VERIFICATION OF ADDRESS?	PENALTIES FOR NON-COMPLIANCE
<i>Wisconsin</i>	Upon release from supervision; within 14 days of changing address, school enrollment, or employment	No (DOJ asks supervised offenders from other states to register but this cannot be enforced)	15 years from discharge from supervision	Offender must notify the Department of Justice annually of his/her current information; DOJ notifies offenders of this requirement	Up to \$10,000 fine and/or to 9 months imprisonment
<i>Wyoming</i>	Within 5 days of release; 30 days of entering state; 10 days of changing address	Yes	If convicted of first or second degree sexual assault- must petition district court for relief of duty to register; if convicted of other sex offense- 10 years, or may petition district court for relief of duty to register	No	High misdemeanor for 1st failure- up to \$750 fine and/or up to 1 year imprisonment; felony for subsequent failures- up to \$1000 fine and/or up to 2 years imprisonment

TABLE 3
States with Sex Offender Registration Laws

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
Alabama	Available to law enforcement and investigative authorities only	No	57	Not known
Alaska	Available to law enforcement agencies and any person who submits a written request to the department's permits and licensing unit for the information (on a form supplied by the department) and pays a non-refundable fee of \$10	No	491	Not known
Arizona	Notification given to schools, neighbors and community groups of an offender's release into the community. Methods of notification to be determined by state community notification guidelines committee	Information is considered criminal history; violation of confidentiality is a felony	7,825	Not known
Arkansas	Available to law enforcement and investigative authorities only	No	Very few	Not known
California	Public access through "900" phone line which members of general public may call to inquire whether specific individual is listed as a registered sex offender with a minor victim. Caller must provide information concerning the registrant including exact street address and birth date along with additional information such as name, hair color, eye color, height, weight, distinctive markings, ethnicity, and social security number. Caller should have a reasonable suspicion that a child is at risk. Sub-directory of sexual habitual offenders is available to the general public, however, individual may be required to express articulable purpose in order to obtain access	Use of information disclosed by "900" number or subdirectory to engage in illegal discrimination or harassment is illegal; use of this information to commit a felony shall be punished by a 5-year prison term in addition to any other punishment	62,640	72% for those released in 1981; 54% for those released in 1973(1988 study)
Colorado	Information regarding any person registered may be released to the public. Information may be released to anyone residing within the local law enforcement agency's jurisdiction, and anyone outside the jurisdiction upon request and demonstration of a need to know	No (except nonfeasance, etc.)	750 with the state; unknown at the local level	Not known
Connecticut	Limited public disclosure, when it is deemed necessary to protect a person from a specific sex offender required to register	Disclosure of records is a Class C misdemeanor	Not known	Not known

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
Delaware	Community notification to the general public of released sex offender via newspaper publication. Employer or potential employer in a sensitive area dealing with children may inquire as to whether such person's name is on the registration list	No	Not known	Not known
Florida	Community notification of release of sex offender via newspaper publication if hearing determines sexual predator poses a threat to society	No	30-35	Not known
Georgia	Registry open to public inspection; it has been informally established that as a condition of parole, offender must give name, address, and crime to superintendent of public school district and county sheriff where offender will reside	No	Not known (kept by each county)	100%
Hawaii	Available to law enforcement only	No	Not known	Not known
Idaho	Registration information available to public through central registry upon request. Requester must provide offender's name, date of birth and social security number	No	1,133	Not known
Illinois	Notification of registered child sex offenders to: The Department of Children and Family Services; school boards of public school districts, the principle of each nonpublic school, and child care facilities located in the county or police district where the offender resides; and, in the department or agency's discretion, any person likely to encounter a child sex offender	Class B misdemeanor for unauthorized release of registration information	Not known, changing too rapidly to give accurate number	Not known
Indiana	Statutory notification to all public and nonpublic schools, state agencies licensing or hiring individuals dealing with children, state personnel department to screen individuals who may be hired to work with children, and registered child care facilities	Any person who misuses limited criminal history information commits a Class A misdemeanor	1,100 (since 7/1/94)	Not known
Iowa	Information may be disseminated to: 1) criminal justice agencies; 2) government agencies for background checks; 3) the public, with case-specific authorization, when deemed necessary to protect the public; 4) to persons conducting research (with identifying data removed); and 5) a member of the general public if specific identifying information is provided about both the person requesting information and the registrant, along with the reason for requesting the information	No	999	Study pending.

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
Kansas	Members of the general public may inspect registration records	No	350	Not known
Kentucky	Available to law enforcement agencies only (separate statute allows daycares to screen employees)	No	146	Not known
Louisiana	Mandatory community notification for all convicted sex offenders. Sex offenders required to give notice by mail to at least one person in every residence and business within a one-mile radius in rural area and three square blocks in urban area of offender's residence, and to superintendent of school district who shall notify the principal of relevant schools. Additional community notification via newspaper publication. If the victim is under age 18, notice shall also be given to park, playground and recreational area superintendents within the designated area where the defendant will reside	No	1,289 active cases; this includes 1,109 subject to public notification	Estimated: registration = 98% - 99% public notification = 90%
Maine	Registration information available to the general public	No	55	Not known
Maryland	The supervision agency, in some instances the courts, must notify the designated law enforcement agency of the child sex offender. The designated law enforcement agency must notify the county superintendent of schools, who must, in turn, notify the school principals. The designated law enforcement agency must also notify the victim, the parents, any witness and any other person the State's Attorney may designate in writing. In addition, the designated law enforcement agency may notify local community organizations, religious organizations, and other organizations which relate to children and youth	No	8	100%
Massachusetts	Final version of bill has not been agreed to as of 7/19/96. For more information contact: Margot Friedman, Counsel; Senator Antonioni, Senate Chamber, State House, Boston, MA 02133. Phone: (617) 722-1230			
Michigan	Available to law enforcement and investigative authorities only	A person who divulges, uses, or publishes registration information is guilty of a misdemeanor punishable by up to 90 days imprisonment and/or up to \$500 fine. An offender whose registration is revealed has a civil cause of action against the responsible party	10,800	Not known

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
Minnesota	Notification process is dependent upon the offender's assessed level of risk to re-offend: low risk, information maintained within law enforcement agencies and may be disclosed to victims of or witnesses to the offense committed by the offender; moderate risk, law enforcement agencies may disclose information to agencies and groups that the offender is likely to encounter (public and private schools, day care facilities, and other agencies or groups dealing with children or women); high risk, law enforcement agencies also may disclose information to other members of the community whom the offender is likely to encounter	Reference made to another section addressing "private data"	4,700	80%
Mississippi	Limited public notification dependent upon need to protect. Discretionary case specific authorization to release information to the public	No	235	Not known
Missouri	Available to courts, prosecutors, and law enforcement agencies	No	2,600	70-80%
Montana	Limited notification dependent upon need to protect, a court order allowing the release of registration information must first be obtained. If court order is obtained, possible method of notification may be in the form of a press release	No	Approximately 1,550	Not known
Nebraska	Restricted and provided only to law enforcement agencies or their authorized representatives	No	Not known	Not known
Nevada	Notification process is dependent upon the offender's assessed level of risk to re-offend: low risk, law enforcement agencies likely to encounter the sex offender must be notified; moderate risk, schools and religious and youth organizations must also be notified; high risk, the public must be notified through means designed to reach members of the public likely to encounter the person	No	Not known	Not known
New Hampshire	Available to law enforcement and investigative authorities only	A person who violates confidentiality provisions is guilty of a violation	590 (includes those registered and those notified of their requirement to register; the computer program to monitor who has registered and compliance rates has not yet been completed)	

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
New Jersey	Notification process is dependent upon the degree of danger an offender presents to the community: low risk, notice provided only to victim and law enforcement agencies likely to encounter the offender; moderate risk, notice given to community organizations including schools, religious and youth organizations; high risk, subject to public notification, generally to those community members who are likely to encounter the offender. Only high risk offender notices are open to general public	No	Not known	Not known
New Mexico	Information not to be disseminated to persons or entities other than law enforcement agencies	No.	50	Not known.
New York	Notification process is dependent upon the degree of danger an offender presents to the community: low risk, notice to law enforcement; moderate risk, law enforcement may disseminate relevant information to any entity at risk, that entity may disclose information at their discretion; high risk offenders designated as sexually violent predators, add registration information available to public upon request in sexually violent predator sub-directory	Class B misdemeanor for unauthorized release of information	Not known	Not known
North Carolina	Sex offender registration information and registry is public record, open for public inspection. An individual may obtain registration information by providing the offender's name, sex, physical description, and any other known relevant information. Upon receipt of information from the requester, the sheriff shall verify to the requester, in writing, whether the individual has registered as a sex offender. A copy of the entire registry may be provided to any group, entity, organization or school working with children, the disabled or elderly upon written request and payment of a fee	No	20 (as of 1/29/96)	45%
North Dakota	Relevant and necessary registration information may be disclosed to the public by a law enforcement agency if the agency determines that the individual registered is a public risk and disclosure of the information is necessary for public protection	No	230 (as of 1/18/96)	Not known
Ohio	Available to law enforcement and investigative authorities only	No	Not known	Not known
Oklahoma	Registration information may be released to public and private elementary schools, state licensed childcare facilities and providers, and entities that provide services to children	Yes, a misdemeanor	1,489 with the DOC	Not known

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
<i>Oregon</i>	Notification process decided by agency supervising sex offender. If offender classified as a predatory sex offender, the agency may release information to the public	No	5,154 as of 1/17/96 (1,435 post-sanction supervised)	72% (post-sanction offenders)
<i>Pennsylvania</i>	Community notification regarding sexually violent predators issued as a means of assuring public protection. Sexually violent predator information available to the public upon request	No	Not known	Not known
<i>Rhode Island</i>	Available to law enforcement and investigative authorities only	No	Approximately 250	Not known
<i>South Carolina</i>	Available to law enforcement, investigate authorities, and those authorized by the court	No	1,532 as of 1/96	Not known
<i>South Dakota</i>	Registration information and records are public records. School superintendent or child welfare owner may request criminal records check	No	Not known	Not known
<i>Tennessee</i>	The Tennessee Bureau of Investigation and law enforcement may release relevant information deemed necessary to protect the public concerning a specific sex offender	No	1,682	89%
<i>Texas</i>	Community notification via newspaper publication and notice to superintendent of public schools by mail. Registration information available to the public	Release of registration information to an unauthorized person is a Class B misdemeanor on reportable convictions between 9/1/91 - 8/31/95; no penalty for convictions after 9/1/95	10,430 as of 1/24/96	89% between 9/1/91 - 8/31/95
<i>Utah</i>	Available to law enforcement agencies, the Department of Education, and the Department of Corrections	No	3,500	Not known

STATE	ACCESS TO INFORMATION	CONFIDENTIALITY PROVISION	NUMBER REGISTERED	PERCENT COMPLIANCE
Vermont	The Department of Public Safety shall establish and maintain a sex offender registry. Information contained in the registry shall be confidential and shall not be disclosed to any person, except: local, state, and federal law enforcement agencies; state and federal governmental agencies exclusively for conducting background checks; any employer, including a school district, when necessary to protect the public from a specific offender	No	Not known	Not known
Virginia	Information disseminated upon request to criminal justice agencies, public and private schools, child welfare agencies, and daycares for screening possible employees or volunteers	Unauthorized dissemination is a Class I misdemeanor	3,145	Not known
Washington	Recommended guidelines for notification are dependent upon the level of risk an offender poses to public safety: low risk (level 1), notice to law enforcement agencies; moderate risk (level 2), schools and neighborhood groups may also be notified; high risk (level 3), the public may be notified through press release	A business or organization which obtains conviction information through a background check may not further disseminate or use the record; anyone who violates this is subject to a civil action for damages	9,665	81%
West Virginia	Available to law enforcement and investigative authorities only	No	Not known	Not known
Wisconsin	Available to law enforcement and investigative authorities only	Failure to keep information confidential may result in fine of up to \$500 and/or up to 30 days imprisonment	Approximately 800	87%
Wyoming	Available only to persons authorized to receive criminal history record information	No	343	Not known

APPENDIX: Sex Offender Registration Statutes

Alabama Code § 13A-11-200 to 13A-11-203	Nebraska Legislative Bill 645 (effective 1/1/97)
Alaska Statutes § 12.63.010	Nevada Revised Statutes § 207.151 to 207.157
Arizona Revised Statutes Annotated § 13-3821 to 13-3824	New Hampshire Revised Statutes Annotated § 213;1
Arkansas Statutes Annotated § 12-12-901 to 12-12-909	New Jersey Revised Statutes § 2C:52-2
California Penal Code § 290, 290.2, 290.3, and 290.4	New Mexico General Laws Chapter 106
Colorado Revised Statutes § 18-3-412.5	New York S.B. 11c and A.B. 1059c
Connecticut Statutes 54-102r	North Carolina Senate Bill 53
Delaware Code Annotated, Title 11 § 4120	North Dakota Century Code § 12.1-32-15
Florida Statutes Annotated § 775.2	Ohio House Bill 180 (effective 1/1/97)
Georgia Code Annotated 42-9-44.1	Oklahoma Statutes, Title 57 Chapter 8B § 581 to 587
Hawaii Public Act 160	Oregon Revised Statutes § 181.518 to 181.519
Idaho Code § 18-8301 et seq.	Pennsylvania Senate Bill 7
730 Illinois Compiled Statutes 150/1 et seq.	Rhode Island General Laws § 11-37-16
Indiana IC 5-2-12	South Carolina Code Annotated § 23-3-400 to 23-3-490
Iowa General Laws Chapter 146	South Dakota Codified Laws § 22-22-31
Kansas Statutes Annotated § 22-4901 et seq.	Tennessee Code Annotated § 38-6-110
Kentucky Revised Statutes, Chapter 17.510	Texas Revised Civil Statutes, Title 110A, Article 6252-13c.1
Louisiana Revised Statutes Annotated, Title 15 § 540-549	Utah Code Annotated § 77-27-21.5
Maine Revised Statutes Annotated, Title 34A § 11001	Vermont Senate Bill 217 (effective 9/1/96)
Maryland General Laws Chapter 142	Virginia Code Annotated § 19.2.390.1
Michigan Public Act 295	Washington Revised Code §§ 9A.44.130 and 9A.44.140
Minnesota Statutes § 243.166	West Virginia Code § 61-8F-2
Mississippi General Laws Chapter 515	Wisconsin Statutes § 175.45
Missouri Statutes §§ 566.600-566.625	Wyoming Statutes § 7-19-301 to 7-19-306
Montana Code Annotated § 46-18-254 and § 46-23-501 to 507	

ENDNOTES

1 As of 7/19/96, legislative leaders had agreed to pass a bill but the specifics were still under discussion. For more information contact: Margot Friedman, Counsel; Senator Antonioni, Senate Chamber, State House, Boston, MA 02133. Phone: (617) 722-1230.

2 H.R. 2137, 104th Cong., 2d Sess. (1996).

3 Information was collected March - April 1992, September - October 1993, September 1994 - January 1995, and February - June 1996 from states known to have sex offender registries. Informants were administrators, legislative research staff, legal counsel, or law enforcement officials, as appropriate. This report also uses information provided by the National Center for Missing & Exploited Children in Arlington, VA, and the National Center for Prosecution of Child Abuse in Alexandria, VA, which has compiled a report entitled *Legislation Requiring Sex Offenders to Register with a Government Agency*.

4 Harassment following community notification is further discussed in *Community Notification: A Survey of Law Enforcement*, Washington State Institute for Public Policy, December 1993 and an updated survey to be completed in September 1996.

5 Alaska, Arizona, California, Illinois, Louisiana, Minnesota, New Hampshire, New Jersey, New York, Ohio, Washington, and Wyoming.

6 For additional information on constitutional challenges to sex offender registration and community notification statutes, see *The Legal Validity and Policy Concerns Associated with Community Notification for Sex Offenders*, and *The Constitutionality of Statutes Requiring Convicted Sex Offenders to Register with Law Enforcement*, The National Center for Missing and Exploited Children, June 1996.

7 Connecticut, Delaware, Michigan, Minnesota, Missouri, New Jersey, New York, Pennsylvania, Utah, West Virginia, and Wisconsin

8 Alabama, Alaska, California, Florida, Kansas, Michigan, Montana, Nevada, New Hampshire, New York, Oregon, Rhode Island, South Carolina, Texas, and Washington.

9 Hawaii, Louisiana, Mississippi, Nebraska, New Jersey, Pennsylvania, and Wyoming.

10 Alaska, Arizona, Colorado, Kansas, Michigan, New Hampshire, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, Texas, Washington, and Wyoming

11 California, Colorado, Delaware, Indiana, Iowa, Louisiana, Minnesota, New York, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Texas, Vermont, and Wyoming.

12 For more information about community notification legislation, see *Sex Offender Community Notification: A Review of Laws in 32 States*, Washington State Institute for Public Policy, April 1996.

13 *Guidelines for Sex Offender Notification and Registration*, Sex Offender Supervision Network Training Committee, chaired by Larry Cramer, Clackamas County Community Corrections, January 1994.

ENDNOTES

¹⁴ For examples of community notification, see *Community Notification Press Review*, Washington State Institute for Public Policy, July 1992. See also, *Community Notification: A Survey of Law Enforcement*, Washington State Institute for Public Policy, December 1993.

¹⁵ California, Colorado, Delaware, Idaho, Illinois, Michigan, Minnesota, New Jersey, Rhode Island, South Carolina, Texas, Washington, and Wisconsin.

¹⁶ California Department of Justice, *Effectiveness of Statutory Requirements for the Registration of Sex Offenders*, 1988.

¹⁷ Washington State Institute for Public Policy, *Sex Offender Registration in Washington State: Compliance, 1991*, January 1992. State Patrol records have been used to calculate the percentage of sex offenders released from confinement who have registered.